IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 2267 of 2004

Between:

Sri Rama Sand Quarry Boatsmen and Fishermen Co-operative Society, Vakalagaruvu(V) Ambajipeta (M) Rep. by its President Kola Laxmana Swamy.

..... PETITIONER

AND

1 The Chairman Zillaparishad-cum-District Level Sand Auction Committee Chairperson, Kakinada, E.G.District.
2 The District Panchayat Officer-cum-Member and Convenor, District Level Committee, Sand Auctions, Kakinada, E.G.Dist
3 Sri Sri Venkateswara Sand Quarry Boatman Co-operative Society Limited, Boadasakurru(V) Allavaram (Mandal) rep.by its President, Sri Ankani YesuBabu.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order more particularly one in the nature of writ of Mandamus or any other appropriate writ, declaring the action of the 2nd respondents in awarding Boadasakurru Ferry point reach No.38 in favour of the 3rd respondent, who has not even purchased an application as per rules and regulations in response to the 2nd notification, vide Proceedings No.Ref.No.6345/R38/2003, dt.03.12.2003 by way of negotiations without calling the petitioner Society who is eligible and having its EMD's with the concerned authorities, is illegal, arbitrary, violative of G.O.Ms.No.1, Industries and Commerce (MI)Dept, dt.01.01.2002 and also violative of Constitutional provisions and consequently set-aside the proceedings in Ref.No.6345/R38/2003, dt.03.12.2003 of the 2nd respondent.

Counsel for the Petitioner:MR.SITA RAM CHAPARLA

Counsel for the Respondent No1 and 2.: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for R –3 : None appears

The Court made the following :

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WRIT PETITION NO. 2267 OF 2004

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ORDER:-

Heard both the learned counsel and at their request, the writ petition itself is taken up for disposal at the stage of Interlocutory Application.

It is represented that having regard to the expiry of the lease period by 30-9-2004, this writ petition has become infructuous.

Recording the above, this writ petition is dismissed as having become infructuous.

3—11—2004.

Stv/-

To

1 The Chairman Zillaparishad-cum-District Level Sand Auction Committee Chairperson, Kakinada, E.G.District.

2 The District Panchayat Officer-cum-Member and Convenor, District Level

Committee, Sand Auctions, Kakinada, E.G.Dist

3. Two C.Cs.to the Government Pleader for Panchayat Raj, High Court Buildings, Hyderabad (OUT)

4. Two C.D. Copies.